

The Georgia Board of Chiropractic Examiners met on January 29, 2004 at the Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia for the purpose of conducting business.

Members Present:

- Patrick J. Sallarulo, D.C., President
- David A. Wren, D.C., Vice President
- James A. Anchors, D.C.
- Karen Mathiak, D.C.
- J. Craig Patterson, D.C.

Others Present:

Jacqueline A. Hightower, Executive Director, Yvonne LeSane, Board Secretary, Ajay Gohil, Assistant Attorney General, Sandra Marshall, Applications Specialist, Norman Harris, Law Intern, Dr. Davis Kinney, Past Board President, Frank McMinn, Georgia Council of Chiropractic, M. G., Applicant, Dr. D. Coleman, D.C., Aubrey Villines, Esq., Dr. R. Robertson, D.C., Bob Little, Attorney.

Dr. Patterson moved and Dr. Anchors seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-19(h)(2)(4), O.C.G.A. §43-1-2(k)(1)(2), O.C.G.A. § 50-14-2(1) and O.C.G.A. § 431-1-19(4) to deliberate on Investigations, Applications, Attorney General's Report and Investigative Interview and to receive information on Investigations, Applications, Attorney General's Report and Investigative Interviews Voting in favor of the motion were those present who included Board Members Sallarulo, Wren, Anchors, Mathiak and Patterson. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.

President Sallarulo established that a quorum was present, and called the meeting to order at 10:15 A.M.

PUBLIC HEARING:

President Sallarulo established that a quorum was present, and called the Public Hearing to order at 10:00 A.M. As there was one (1) comment submitted and no members of the public attended the hearing, it was adjourned at 10:15 A.M.

Rule 100-7 Immoral and Unprofessional Conduct Defined. Amended.

A public hearing was held to discuss Rule amendments to 100-7 as attached. There was one (1) written comment relating to the rule in which the Board addressed.

After discussion and consideration of the comment received, Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to adopt the proposed rule 100-7 in accordance with 50-13-4(a)(1) as posted.

Dr. Davis Kinney, Past Board President: Overview.

After a brief introduction by Dr. Sallarulo, Dr. Kinny gave an informative presentation on:

- ? History, Authority and Rational for Board Actions
- ? Administrative Procedure Act
- ? Declaratory Ruling 50-13-11
- ? Attorney General's Counsel
- ? Defining of Board Law and Rules
- ? Board Duties and Responsibilities
- ? Disciplinary Process & Investigative Interviews
- ? Scope of Practice
- ? Referrals

Applicant Meeting:

M.G.: After an appearance before the Board, due to denial of license, Dr. Anchors moved and Dr. Wren seconded and the Board voted to issue license.

Minutes:

Dr. Patterson moved and Dr. Anchors seconded and the Board voted to approve the November 6, 2003 minutes as corrected.

Georgia Council of Chiropractic (GCC), Frank McMinn:

Mr. McMinn addressed the Board on the **upcoming PACE** proposal on credentialing of speakers and the approval of chiropractic continuing education courses. The GCC would like the Board to oppose the proposal in writing for the GCC newsletter.

Federation of Chiropractic Licensing Boards:

Dr. Patterson moved and Dr. Anchors seconded and the Board voted to send Dr. Sallarulo and Dr. Wren as voting delegate and alternate, respectively, to the Federation of Chiropractic Licensing Boards annual meeting on May 8, 2004 in Denver Colorado.

National Board of Chiropractic Examiners:

- Dr. Patterson moved and Dr. Anchors seconded and the Board voted to send Dr. Sallarulo and Dr. Wren as voting delegate and alternate, respectively, to the National Board of Chiropractic Examiners annual meeting on May 7, 2004 in Denver Colorado, in conjunction with the Federation of Chiropractic Licensing Boards annual conference.

Correspondence:

The Redleaf Institute: Postpone the the following meeting, March 11, 2004

National Board of Chiropractic Examiners Ethics & Boundaries Examination: The Board reviewed the Survey of State Licensing Boards Concerning Possible Utilization of an NBCE-Developed Ethics and Boundaries Examination. The Board arrived at the following conclusion:

- Have disciplined licensees take the examination;
- send survey via fax.

Dr. Mathiak moved and Dr. Anchors seconded and the Board voted to send a letter advising of the Boards interest in the examination and to request copies of the examination for Board members.

Flavia Medina:

Is it illegal to xray the cervical spine if the patient has no symptoms in the cervical area and no history of trauma to the neck area?

Board response: The Board does not offer legal advice.

David Rothkin: Is it illegal for a Chiropractor to prescribe shoe orthotics?

Board response: The Board does not offer legal advice.

Kathy Chandler: Is it legal for a chiropractor to have a dual fee system?

Board response: The Board does not offer legal advice.

Dr. Kyle Pepple: Can a chiro. refer to a PT in GA?

Board response: The Board does not offer legal advice.

Eric C. Krohne, PhD.: I respectfully request that the advertising sanctions occurring several years ago be expunged from the licensee's record.

Board response: The Board will further review your request.

Donna Kroger: Can my company set up a Limited Liability Corporation within a Chiropractors office and he Dr. then refer patients that would qualify to have treatment on our machine?

Board response: The Board does not offer legal advice.

John Paul Reeve, D.C.: I would like to have the Board review and offer me any feedback as to the document being withing the laws to operate in the state of Georgia.

Board response: The Board does not offer legal advice.

Clayton W. Hopkins, College of Forensic Sciences: The purpose of this letter is to apply for recognition from your Board of the College on Forensic Sciences as a "recognized specialty."

Board response: The Board does not offer legal advice.

Don Olson, Compliance Manager: Are Georgia chiropractors authorized to perform nerve conduction studies?

Board response: The Board reviewed your correspondence and recommends that you review Official Code 43-9-12.1 and 43-9-1(2).

Eric C. Krohne, PhD., Executive Director ,Georgia Chiropractic Association: There is concern with the Georgia Chiropractic Association and the Georgia Counsil of Chiropractic on the PACE proposal to take over the credentialing of speakers and the approval of courses for chiropractic continuing education courses.

Board response: Dr. Mathiak moved and Dr. Anchors seconded and the Board voted to use the verbage submitted to the Board:

"Whereas, the concept of a centralized continuing education approval process may have merit and some potential for solving certain problems of continuing education certifications, the Georgia Board of Chiropractic Examiners (GBOCE) hasmany concerns about the impact such a system could have on the chiropractic profession and the chiropractic associations here in Georgia. These include but not limited to:

- Financial impacts on state chiropractic association's CE programs and conventions.
- Loss of or reduced control over what is taught in state chiropractic association continuing education programs and conventions
- Potential philosophical differences between PACE-approved courses and state associations and their programs and conventions

In addition to these concerns, the GBCE has concerns about:

- The individual state boards of examiners ceding their authority to approve continuing education credits to PACE, especially in the states who have combined medical/chiropractic nationwide as to state-approved and PACE-approved CE programs.

Be it resolved that the Georgia Board of Chiropractic Examiners advises a rigorous review of the potential impact on our state associations of implementation and acceptance of the FCLB PACE program of continuing education approval.

Be it further resolved that we recommend that the FCLB not proceed any further with the implementation of PACE until all of the concerns of the GBOCE and all other state boards of examiners and state chiropractic associations are positively resolved”.

Keita Vanterpool: Request to make up continuing education requirement via audio/visual.

Board response: Dr. Patterson moved and Dr. Anchors seconded and the Board voted to deny and request additional information.

Kevin Harwood: Request to waive/delay continuing education requirements due to physical limitations.

Board response: Dr. Wren moved and Dr. Mathiak seconded and the Board voted to allow Dr. Harwood to complete continuing education by June 30, 2004.

Probation Report:

The Board requested that Ms. Hightower create a letter which will request probated licensees to submit patient records.

Dr. Cyril Agu: No action.

Dr. Robert Bearor: No action.

Dr. Gary. Boraks: No action.

Dr. Richard Clayton: No action.

Dr. Lee Dinoff: Dr. Patterson moved and Dr. Anchors seconded and the Board voted to deny the request for release from probation.

Dr. Alfred Garcia: Dr. Patterson moved and Dr. Anchors seconded and the Board voted to send a non-compliance letter.

Dr. Ladarian Gregory: No action.

Andrew Hartpence: No action.

Michael Hartpence: Dr. Patterson moved and Dr. Anchors seconded and the Board voted to send a non-compliance letter.

Glenn Kaplan: Dr. Patterson moved and Dr. Anchors seconded and the Board voted to send a Cognizant form to Dr. Wren for action: Request sign-in sheets for 30 day probation period.

Mark B. Lentchner: Dr. Patterson moved and Dr. Anchors seconded and the Board voted to send a non-compliance letter.

Cary Lubert: No action.

R. L. Mayfield: Dr. Patterson moved and Dr. Anchors seconded and the Board voted to request patient records.

Williams G. Marshall: Dr. Sallarulo will review continuing education submitted.

David Orlando: Dr. Patterson moved and Dr. Anchors seconded and the Board voted to request patient records.

James Quintas: Dr. Patterson moved and Dr. Anchors seconded and the Board voted to request patient records.

Hamid Sanaseri: Dr. Patterson moved and Dr. Anchors seconded and the Board voted to forward Cognizant form to Dr. Sallarulo for further investigation.

Myra Sargent: Dr. Patterson moved and Dr. Anchors seconded and the Board voted to request patient records.

K.P.: Dr. Patterson moved and Dr. Anchors seconded and the Board voted to send a non-compliance letter.

D.P.: Dr. Patterson moved and Dr. Anchors seconded and the Board voted to send a non-compliance letter.

Enforcement Report:

Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to request Enforcement to forward copies of cases to the Cognizant.

12-01-990080: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to close with a letter of concern.

CHIR03039: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to refer to the Attorney General's office.

CHIR030040: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted request further investigation.

CHIR030046: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to close and flag.

CHIR030050: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to forward the file to the Cognizant.

CHIR030059: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to send a letter requesting patient records.

CHIR030061: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to refer to the Attorney General's office.

CHIR040002: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to forward the file to the Cognizant.

CHIR040014: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to forward the file to the Cognizant.

CHIR01100064: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to forward the file to the Cognizant.

Attorney General's Report:

Mr. Gohil presented an update on the following cases:

CHIR00169, CHIR00100026, CHIR01100078, CHIR030014, CHIR01100104, CHIR040006, CHIR040012, CHIR01100038, CHIR01100041, CHIR999900092, CHIR01100100, CHIR01100086, CHIR01100109, CHIR01100088, CHIR01100111, 12-01-98-2354, CHIR030023

CHIR040004: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to set up an Investigative Interview.

CHIR040031: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to accept the signed consent order for licensure. Docket number 2003-1434.

Robert Bearor: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to accept the signed consent order for reinstatement. Docket number 2003-1433.

CHIR01100040: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to request further investigation.

CHIR01100085: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to request further investigation.

CHIR01100036: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to request further investigation.

CHIR01100107: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to request further information for the Attorney General's office.

CHIR02100037: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to request additional information.

CHIR01100042: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to request further investigation.

Investigative Interviews:

Ronald Robertson: Dr. Wren moved and Dr. Anchors seconded and the Board voted to close with a letter of concern upon receipt of further information.

Daniel Coleman: Dr. Wren moved and Dr. Anchors seconded and the Board voted to refer to Enforcement.

Applications:

Gregory J. Iacono: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to approve licensure by reinstatement.

M.L.D.: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to approve licensure by reinstatement pending additional information.

J.P.K.: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to offer a consent agreement for licensure by reinstatement.

Patricia B. Matthews: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to approve licensure by reinstatement upon receipt of additional information.

D.L.W.: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to offer a consent agreement for licensure by reinstatement.

M.S.B.: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to deny licensure by reactivation.

Keith B. DuVerney: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to approve licensure by reactivation.

J.S.H.: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to defer licensure by application and invite applicant to the March 11, 2004 Board meeting.

Mauricio Glaser: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to approve licensure by application.

Michael Phillips: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to approve licensure by endorsement.

Vanassa Janet Kinney: Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to approve licensure by endorsement.

Dr. Anchors moved and Dr. Mathiak seconded and the Board voted to approve Chiropractice applications determined to have met licensure requirements as follows:

License No.	Name	Profession	Issue Date
CHIR007541	Bart, Daniel Michael	Chiropractor	11/7/2003
CHIR007542	Gebhardt, Alexander Karl	Chiropractor	11/7/2003
CHIR007543	Farris, Andrew James	Chiropractor	11/10/2003

CHIR007544	Kunes, Marc Alan	Chiropractor	11/10/2003
CHIR007545	Hickey, Leslie Grace	Chiropractor	11/13/2003
CHIR007546	Hellenbrand, Kristi Marie	Chiropractor	11/17/2003
CHIR007547	Cartas, Carol	Chiropractor	11/17/2003
CHIR007548	Helmi, Hany Medhat	Chiropractor	11/24/2003
CHIR007549	Rerucha, Jerome Joseph	Chiropractor	11/24/2003
CHIR007550	Martin, Michael Douglas	Chiropractor	11/24/2003
CHIR007551	Valles, Jude Henry	Chiropractor	11/24/2003
CHIR007552	Mateja, Jaclyn Jean	Chiropractor	11/25/2003
CHIR007553	Hardin, Alice Ann	Chiropractor	11/26/2003
CHIR007554	Leto, Darold Phillip, Jr	Chiropractor	11/26/2003
CHIR007555	Crawmer, James Leslie	Chiropractor	12/4/2003
CHIR007556	Shields, Joshua Eli Via	Chiropractor	12/11/2003
CHIR007557	Campbell, Ismay Hartini	Chiropractor	12/19/2003
CHIR007558	Conner, William Stacy	Chiropractor	12/19/2003
CHIR007559	Deschamps, Kevin Andrew	Chiropractor	12/29/2003
CHIR007560	McDill, Charles Albert	Chiropractor	1/6/2004
CHIR007561	Porter, Ian David	Chiropractor	1/13/2004
CHIR007562	Napp, Ryan Curtis	Chiropractor	1/13/2004
CHIR007563	Gerstin, Gregory Paul	Chiropractor	1/13/2004
CHIR007564	Strump, Brian Adam	Chiropractor	1/13/2004
CHIR007565	Weber, Ryan Christopher	Chiropractor	1/13/2004
CHIR007566	Groft, Joel Thomas	Chiropractor	1/13/2004
CHIR007567	Address, Andrew Todd	Chiropractor	1/13/2004
CHIR007568	Duckett, Sharon Diane	Chiropractor	1/13/2004
CHIR007569	Radin, David Arthur	Chiropractor	1/13/2004
CHIR007570	Hunter, William Frierson	Chiropractor	1/13/2004
CHIR007571	Chung, Seung-goo	Chiropractor	1/14/2004
CHIR007572	Wellman, Amber LuShea	Chiropractor	1/14/2004
CHIR007573	Soetebeer, James Raymond	Chiropractor	1/14/2004
CHIR007574	Scott, John Grayson, IV	Chiropractor	1/15/2004
CHIR007575	Kenny, Kevin Patrick	Chiropractor	1/15/2004
CHIR007576	Jamin, Jason Michael	Chiropractor	1/20/2004
CHIR007577	Wilson, Natasha Marilyn	Chiropractor	1/20/2004
CHIR007578	Carhee, Winston Kyle	Chiropractor	1/20/2004
CHIR007579	Sherman, Elliot David	Chiropractor	1/27/2004
CHIR007580	Savage, Robert Nathan	Chiropractor	1/27/2004
CHIR007581	Glassman, Russell Jon	Chiropractor	1/27/2004
CHIR007582	Stuckey, Orville Leon, Jr	Chiropractor	1/28/2004
CHIR007583	Patel, Chirag G.	Chiropractor	1/28/2004

There being no further business to come before the Board, the meeting was adjourned at 6:15 p.m.

Minutes prepared by: Yvonne LeSane, Board Secretary

Reviewed/Edited by: Jacqueline A. Hightower, Executive Director

Patrick Sallarulo, D.C.
Board President

Mollie L. Fleeman
Division Director